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Bureau of Entomology and Plant Quarantine
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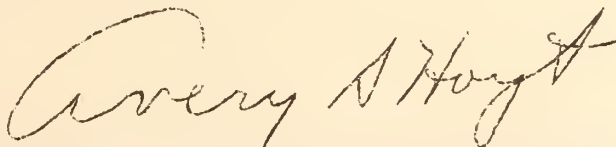
June 8, 1951

PLANT-QUARANTINE IMPORT RESTRICTIONS
OF JAPAN

This revision of the plant-quarantine import restrictions of Japan appears necessary on account of the abolishment of previous legislation by the present law. It has been prepared for the information of nurserymen, plant quarantine officials, and others interested in the exportation of plants and plant products from the United States to Japan.

It was prepared by Richard Faxon, Division of Foreign Plant Quarantines, from the Plant Quarantine Law No. 151 of May 4, 1950, which abolished Law No. 86 of 1948, and from the Plant Quarantine Law Enforcement Regulations 1950. (Agriculture and Forestry Ordinance No. 73, June 1950.)

The information included in this circular is believed to be correct and complete up to the time of preparation, but it is not intended to be used independently of, nor as a substitute for, the original texts, and it is not to be interpreted as legally authoritative.



Chief, Bureau of Entomology and Plant Quarantine



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BASIC LEGISLATION

Plant Quarantine Law (Law No. 151, May 4, 1950).

The above law is drawn up in seven Chapters and 27 Articles providing for the regulation of importations of plants and plant products, injurious insects and plant diseases, and for inspection and treatment of both imported and domestic plants and plant products, and provides penalties. Pertinent articles are summarized below.

CHAPTER I. GENERAL PROVISIONS

Article 1. The objectives of the law are the control of injurious plants and animals, attained through domestic and foreign quarantines and by preventing the establishment and spread of the same, thus contributing to agricultural development.

Definitions

Article 2. "Plants," as used in this Law, shall mean flowering plants, ferns, mosses and liverworts, including plant parts, seeds, fruits and processed goods, including tobacco, but exclusive of injurious plants below.

(2) Injurious plants: Fungi, slime molds, bacteria, viruses, and other saprophytic or parasitic plants, or other plants which are directly or indirectly injurious to economic plants.

(3) Injurious animals: Insects, mites, other arthropoda, Nematoda, and other invertebrate animals, and certain vertebrate animals which are proven to be harmful to economic plants.

Appointment of Employees

Article 3. Plant Quarantine Officials and Inspectors are appointed in the Ministry of Agriculture and Forestry to carry out the purposes of the law.

Authority of Plant Quarantine Official

Article 4. Plant Quarantine Officials may enter land, storage place, warehouse, business office, ship, train or airplane, to inspect plants, packing materials or containers thereof, suspected of being infested with injurious animals or plants, and collect minimum samples for further examination.

(2) Disinfection of above premises may be ordered when they are suspected of being infested. Plant Quarantine Officials may enter such premises to carry out necessary treatments.

Article 5. Provides for identification cards and uniforms.

CHAPTER II

International Plant Quarantine Limitation on Imports

Article 6. Plants, packing materials or containers thereof imported into Japan, liable to carry injurious animals or plants, shall have attached thereto a certificate of inspection issued by the proper authority of the exporting country.

(Tobacco is included in the definition of plants.)

The certificate must be the original or certified copy stating that the material has been inspected and found or believed to be free from injurious plants and animals.

(2) Plants or prohibited articles as specified in paragraph 1 of Article 7, except mail, must be imported through ports designated by Ministerial Ordinance.

(3) Mail imports must be in small packets, commercial samples or postal parcel.

(4) Other imports of plants or prohibited articles by mail must be reported immediately to the local Animal and Plant Quarantine Station.

Prohibition on Imports

Article 7. No person shall import any article as specified in each of the following items (hereinafter referred to as "prohibited articles") except in cases where a permit has been obtained from the Minister of Agriculture and Forestry to use the same for experimental or research purposes.

(1) Plants designated by Ministerial Ordinance which have been shipped from or passed through the districts specified in the Ordinance.

(2) Injurious animals or plants.

(3) Soil or plants with soil.

(4) Packing materials or containers of the articles specified in the preceding items.

2. In case a permit has been obtained as provided above, a copy of the certificate issued by the Minister must be attached to all imports entered under the permit.

3. Conditions in respect to method of importation and of subsequent management of imports may be included in the permit.

4. Ministerial Ordinances issued after public hearings.

Inspection of Imported Plants, etc.

Article 8. Provides for inspection on arrival of all imported plants or prohibited articles by Plant Quarantine Officials to determine whether such importations comply with all entry requirements and whether they are free from infestation by injurious animals and infection with plant diseases.

(2-6) The Plant Quarantine Official designates the place of inspection and may inspect plants, packing materials or containers on board a ship or airplane prior to unloading. Postal officials are required to notify the Plant Quarantine Official of the arrival of mail containing or suspected of containing plants or prohibited articles. Persons receiving such mail which has not been inspected must notify a Plant Quarantine Official immediately so that an inspection may be made.

(7) Plant Quarantine officials may enforce the isolated cultivation of seeds and seedlings designated by the Minister of Agriculture and Forestry if it is deemed necessary in order to determine whether the same are infested with injurious animals or plants.

Disinfection or Destruction

Article 9. In case plants, packing materials or containers thereof are found infested with injurious animals or plants, it is the duty of the Plant Quarantine Official to disinfect or destroy them, or require the owner to do so.

(2) Plants, packing materials or containers thereof may be destroyed which arrive without certification, or are not presented for inspection.

(3) Prohibited articles may be destroyed when the importer fails to obtain the required permit.

Articles 10 and 11 deal with the inspection of plants for export from Japan and the delegation of authority.

Subsequent Chapters and Articles of the Plant Quarantine Law deal with matters of domestic interest. The Supplementary Provisions include one abolishing the Plant Quarantine Law (Law No. 86 of 1948.)

PLANT QUARANTINE LAW ENFORCEMENT REGULATIONS (Agriculture and Forestry Ordinance No. 73, June 1950.) CHAPTER I. GENERAL PROVISIONS

Articles 1-5. Provide for public hearings, appeals, chairman and his duties, and identification cards for Plant Quarantine Officials and Inspectors.

CHAPTER II. INSPECTION OF IMPORTED PLANTS

Article 6. Designation of Places of Import.

(1) Ports of entry: Otaru, Hakodate, Tokyo, Yokohama, Yokosuka, Shimizu, Nagoya, Yokkaichi, Tsuruga, Maizuru, Osaka, Kobe, Hiroshima, Shimonoseki, Moji, Fukuoka, Sasebo, Nagasaki and Kagoshima.

(2) Air-field: Haneda.

Article 7. Import Permit for Prohibited Articles.

Application forms have been provided, to be submitted to the Minister of Agriculture and Forestry through the local Animal and Plant Quarantine Station, requesting permission to import prohibited articles. Two copies of a certificate may be issued, one of which must be sent to the foreign shipper to be attached to the permitted shipment.

Article 8. Prohibited articles must be addressed to the designated Animal and Plant Quarantine Station with the certificate attached. Release only to person responsible for custody and cultivation in designated place of isolation. Permit may be cancelled and prohibited articles destroyed if all conditions are not complied with. Conditions of the permit may be changed if deemed necessary by the Minister.

Prohibited Districts and Plants

Article 9. The districts and plants specified in Article 7, paragraph 1 of the Law are as follows:

Fresh fruits (including pineapples) from districts where the Mediterranean fruit fly (Ceratitidis capitata Wied.) has been reported, including Hawaii and the West Indies.

Fresh fruits of cucumbers, watermelons, muskmelons, pumpkins, squashes, other Cucurbitaceous plants, tomatoes, kidney beans, and cowpeas, from districts where the melon fly (Dacus cucurbitae Coq.) has been reported, including Hawaii.

Fresh fruits of apples, pears, quinces, peaches, plums, apricots, and cherries, as well as fresh fruits of walnuts and whole walnuts in a shell, from countries, including North America, where the codling moth (Carpocapsa pomonella L.) is known to occur.

Fresh fruits of citrus, loquats, persimmons, plums, peaches, mangoes, papayas, longans, litchies, Coromandel gooseberries, rose apples, malay apples, guavas, breadfruits, jack-tree, Garcinia spicata, avocado pears, Erenga engleri, Solanum verbacifolium, Brazil cherries, anona plants, capsicums, betelnuts, and mature bananas, from Pacific areas where the mango fly (Chaetodacus ferrugineus Fabr.) has been reported. (For Chaetodacus ferrugineus Fabr. read Dacus dorsalis Hendl.)

Live tubers of sweet potatoes from many countries, including the United States of America, West Indies and Hawaii, to prevent the introduction of the sweet potato weevil (Cylas formicarius Fabr.), sweet potato moth (Omphisa anastomasalis Guen.) and West Indian sweet potato weevil (Euscepes postfasciatus Fairm.)

Potatoes, eggplants, tomatoes, capsicums, and other Solanaceous plants and their fresh fruits and live bulbs and tubers, from many countries, including North America, Hawaii and Guam, to prevent the introduction of potato wart (Synchytrium endobioticum Perc.), powdery scab (Spongospora subterranea (Wallr.) Lagerh.), ring rot (Bacterium sepedonicum Spieck.), potato tuberworm (Gnorimoschema (Phthorimaea) operculella Zell.), and Colorado potato beetle (Leptinotarsa decemlineata Say.).

Straws of wheat, barley, oats and rye, including straw-wrappers, straw-matting and other straw goods of such kinds, from several countries, including North America, to prevent the introduction of Hessian fly (Phytophaga destructor Say.).

Articles 10-13. Provide for application for inspection by importer, designation of inspection place by Plant Quarantine Official, transportation, unpacking and packing of plants or prohibited articles under official supervision and disposition of same.

Designated Seeds and Seedlings

Article 14. The seeds and seedlings specified in Article 8, paragraph (7) of the Law are designated as follows, except those exported without cultivation after importation:

- (1) Bulbs such as lily, tulip, hyacinth, etc.
- (2) Tubers of potatoes and sweet potatoes.
- (3) Seedlings of fruit trees such as citrus, apple, pear, chestnut, etc.

Articles 15-22 deal with the control of plants and prohibited articles grown in isolation and their disposition.

CHAPTER III

Articles 23-31 deal with the inspection of plants for export from Japan.

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